FILED

U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS

APR 16 2008

DAVID J. MALAND, CLERK

BY
DEPUTY _____

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

MARSHALL DIVISION

KENT KILLMER	§	
Vs.	§	CIVIL ACTION NO. 2:07-CV-76
ELECTRONIC DATA SYSTEMS CORP.	§	

VERDICT FORM

QUESTION NO. 1:

Do you find from a preponderance of the evidence that Electronic Data Systems Corp. terminated Kent Killmer because of his age?

Answer "Yes" or "No."

Answer: __*NO*__

QUESTION NO. 2:

Do you find from a preponderance of the evidence that Electronic Data Systems Corp. did

not hire Kent Killmer into a new position because of his age?

Answer "Yes" or "No."

Answer: _No_

If you have answered "No" to Question No. 1 **and** Question No. 2, then do not answer any more Questions. The jury foreperson should sign and date the Verdict Form and return it to the Security Officer.

QUESTION NO. 3:

Do you find from a preponderance of the evidence that, even if Mr. Killmer had not been terminated on May 22, 2006, Electronic Data Systems Corp. would have terminated Mr. Killmer's employment because of his tape recording the May 8, 2006 phone conversation or his alleged misuse of trade secrets?

Answer "Yes" or "No."

Answer: _____

QUESTION NO. 4:

What amount of money, if any, if paid now in cash, would reasonably compensate Kent Killmer for the loss of back pay and benefits, if any, he has suffered as a result of the conduct you have found in answer to Question No. 1 and/or Question No. 2?

Answer in dollars and cents, if any:

A.   Lost wages;

$ _____

B.   Lost benefits; and

$ _____

C.   Lost restricted stock units:

$ _____

QUESTION NO. 5:

Do you find by a preponderance of the evidence that Electronic Data Systems Corp. willfully

violated the Age Discrimination in Employment Act?

Answer "Yes" or "No."

Answer: _____

SIGNED this _16th_ day of April, 2008.

_____

JURY FOREPERSON

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